

**\*E-Filed 09/17/2010\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

YVONNE HODGE,

Case No. C 09-04719 RS

Plaintiff,

**ORDER**

v.

OAKLAND UNIFIED SCHOOL  
DISTRICT, BOARD OF EDUCATION as  
Trustees, KIM NOBLE, as an individual and  
in official capacity, LISA RYAN COYLE, as  
an individual and in official capacity,  
PHYLLIS HARRIS, in individual, IRIS  
WESSELMAN, as an individual and official  
capacity,

Defendants.

On July 7, 2010 the Court issued an order granting a motion to dismiss and denying a motion for a more definite statement filed by defendants Oakland Unified School District, Board of Education ("Board"), Anthony Smith, Iris Wesselman, Kim Noble, and Lisa Cole (the "District Defendants"). Plaintiff Yvonne Hodge filed her second amended complaint on July 26,

1 2010 (the "SAC").<sup>1</sup> The District Defendants then filed a second motion to dismiss, which is set  
2 to be heard in this Court on September 23, 2010. Hodge has filed her opposition to the motion  
3 dismiss, to which the District Defendants have replied. The matter is appropriate for resolution  
4 without oral argument pursuant to Civil Local Rule 7-1(b) and the motion hearing set for  
5 **September 23, 2010 is vacated.** The Court will issue a written order on the motion to dismiss.

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7 IT IS SO ORDERED.

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9 Dated: 09/17/2010



10 RICHARD SEEBORG  
11 UNITED STATES DISTRICT JUDGE  
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26 <sup>1</sup> Defendants Smith, Roberta Mayor, and Jack O'Connell, who were each named as defendants in  
27 the first amended complaint (the "FAC"), were not named in the SAC. Additionally, the Board,  
28 which was named individually and as Trustees in the FAC, was named only as Trustees in the  
SAC, and Phyllis Harris, who was named in both her individual and official capacity in the FAC,  
was named solely as an individual in the SAC. According to the District Defendant's motion to  
dismiss filed on August 9, 2010, pro se defendant Harris is deceased.